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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,130	08/06/2003	Klaus B.W. Blume	60,130-1829 (00MRA373,382)	8416
26096 7590 01/12/2007 CARLSON, GASKEY & OLDS, P.C. 400 WEST MAPLE ROAD SUITE 350 BIRMINGHAM, MI 48009			EXAMINER STRIMBU, GREGORY J	
			ART UNIT 3634	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/635,130	Applicant(s) BLUME ET AL.	
	Examiner Gregory J. Strimbu	Art Unit 3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/23/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-41 and 43-47 is/are pending in the application.
- 4a) Of the above claim(s) 22,23 and 30-40 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27 is/are allowed.
- 6) ☒ Claim(s) 21,24-26, 28, 29,41 and 43-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/802,106.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Election/Restrictions

Applicant's election of Group I in the reply filed on July 21, 2004 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Accordingly, claims 22, 23 and 30-40 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on July 21, 2004.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21, 24-26, 28, 29, 41, and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito (6,185,873). Saito discloses a window a window lifting mechanism attached to a vehicle door panel 5 having a first alignment member (not numbered, but comprising the outside surface of 5a as shown in figure 4) formed on the vehicle door panel on one side of the vehicle door panel and a second alignment member (not numbered, but comprising the inside surface of 5a as shown in figure 4) formed on the vehicle door panel on an opposite side of the vehicle door panel, a window regulator housing 8 is aligned relative to the door panel via the first alignment

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member, a power mechanism 7 is aligned relative to the door panel via the second alignment member and the window regulator housing and power mechanism are secured to the door panel, a single contiguous feature 5a on the vehicle door panel defines both the first and second alignment members, the single contiguous feature comprises a projection on one of the one side or the opposite side of the vehicle door panel, and comprises a recess on the other of the one side or the opposite side of the vehicle door panel wherein one of the first alignment member and second alignment member comprises the projection and the other of the first alignment member and second alignment member comprises the recess, a first corresponding alignment member (not numbered, but comprising the flange through which the bolt 11a extends) on the window regulator housing to cooperate with one of the projection and recess and a second corresponding alignment member 14e on the power mechanism to cooperate with the other of the projection and recess, a fixing hole 5b in at least one of the first alignment member and the second alignment member for securing one of the window regulator housing and the power mechanism to the vehicle door panel in which the fixing hole is contiguous with the single contiguous feature.

Although Saito is silent concerning the particular method steps of assembling the mechanism, the assembly of the window lifting mechanism, as taught by Saito, would inherently lead to the claimed method steps as recited in claims 21, 24-26, 28, 29, 41, and 42.

Claims 21, 44, 46, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito (6,185,873). Saito discloses a window lifting mechanism comprising a first alignment member 11a on one side, i.e., before the member 11a is inserted through the vehicle door panel, of a vehicle door panel 5 and a second alignment member 14e on an opposite side of the vehicle door panel as shown in figure 5, a window regulator housing 8 aligned relative to the vehicle door panel via the first alignment member, a power mechanism 7 aligned relative to the vehicle door panel via the second alignment member 14e, and the window regulator housing and the power mechanism are secured to the vehicle door panel as shown in figure 4, the first alignment member 11a makes contact with a corresponding portion of the window regulator housing, as shown in figure 2a, to align the window regulator housing relative to the vehicle door panel and the second alignment member 14e makes contact with a corresponding portion of the power mechanism to align the power mechanism relative to the vehicle door panel.

Although Saito is silent concerning the particular method steps of assembling the mechanism, the assembly of the window lifting mechanism, as taught by Saito, would inherently lead to the claimed method steps as recited in claims 21, 44, 46, and 47.

Allowable Subject Matter

Claim 27 is allowed.

Response to Arguments

Applicant's arguments filed October 23, 2006 have been fully considered but they are not persuasive.

With respect to the applicant's arguments regarding Saito, the examiner respectfully disagrees. The applicant argues that the outside surface of 5a cannot be seen when assembling the housing 8 to the panel 5 and therefore cannot be used to align the housing 8 to the panel 5. This argument, however, is not persuasive since a person assembling the housing 8 to the panel 5 would feel the position of the flanges corresponding to each of the members 11a, 11b, and 11c (see figure 2a) relative to the bend in the outer surface of 5a (see figure 4) to determine the alignment of the housing 8 relative to the panel 5.

The applicant's arguments concerning claims 46 and 47 are moot in view of the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

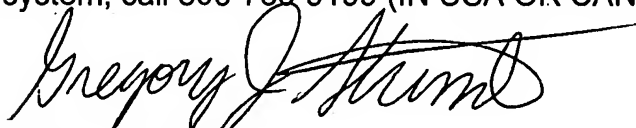
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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached at 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Gregory J. Strimbu
Primary Examiner
Art Unit 3634
January 5, 2007